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UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

SCANNED

ALICE KRAMER, as Personal Representative  
 of the Estate of Arthur Kramer,

Plaintiff,

—against—

LOCKWOOD PENSION SERVICES, INC.,  
 ET AL.,

Defendants.

Case No.: 08 CV 2429-DAB-MHD

**NOTICE OF MOTION TO ADMIT MICHAEL J. MILLER *PRO HAC VICE***

PLEASE TAKE NOTICE that Katherine L. Villanueva hereby moves this Court, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, for an Order allowing the admission *pro hac vice* of:

Michael J. Miller  
 DRINKER BIDDLE & REATH LLP  
 One Logan Square, 18<sup>th</sup> and Cherry Streets  
 Philadelphia, PA 19103  
 Telephone: (215) 988-2700  
 Facsimile: (215) 988-2757

Michael J. Miller is a member of the firm of Drinker Biddle & Reath LLP, and he is a member in good standing of the Bar of the Commonwealth of Pennsylvania. There are no pending disciplinary proceedings against Michael J. Miller in any state or federal court.

Dated: May 23, 2008

DRINKER BIDDLE & REATH LLP

  
 Katherine L. Villanueva (KV5283)

DRINKER BIDDLE & REATH LLP  
140 Broadway, 39<sup>th</sup> Floor  
New York, NY 10005  
(212) 248-3140

*Attorneys for Defendant Lincoln Life &  
Annuity Company of New York*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ALICE KRAMER, as Personal Representative  
of the Estate of Arthur Kramer,

Plaintiff,

—against—

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ET AL.,

Defendants.

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Case No.: 08 CV 2429-DAB-MHD

AFFIDAVIT OF KATHERINE L. VILLANUEVA IN SUPPORT OF MOTION FOR *PRO*  
HAC VICE ADMISSION

KATHERINE L. VILLANUEVA being duly sworn according to law, upon her oath  
deposes and says:

8. I am associated with the law firm of Drinker Biddle & Reath LLP, attorneys for  
Defendant Lincoln Life & Annuity Company of New York (“Lincoln”). I am familiar with the  
proceedings in this case. I make this statement based upon my personal knowledge of the facts  
set forth herein and in support of Lincoln’s motion for Michael J. Miller to be admitted to  
participate in this action *pro hac vice*.

9. I am a member in good standing of the bar of the State of New York, and I was  
admitted to practice law in July 2005. I am also admitted to the bar of the United States District  
Court for the Southern District of New York, and am in good standing with this Court.

10. I have known Michael J. Miller since August 2006.

11. Mr. Miller is an attorney with Drinker Biddle & Reath LLP and is a resident of Drinker Biddle's Philadelphia office. Mr. Miller is a member of good standing of the Bar of the Commonwealth of Pennsylvania. A copy of Mr. Miller's certificate of good standing from the Commonwealth of Pennsylvania is annexed hereto as Exhibit A.

12. I have found Mr. Miller to be a skilled attorney and person of integrity. He is experienced in federal practice and is familiar with the Federal Rules of Procedure.

13. Accordingly, I am pleased to move the admission of Michael J. Miller, *pro hac vice* in this action.

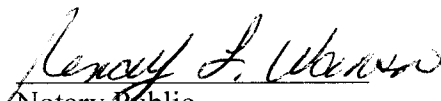
14. I respectfully submit a stipulation and proposed order granting the admission of Michael J. Miller, *pro hac vice*, which is attached hereto as Exhibit B.

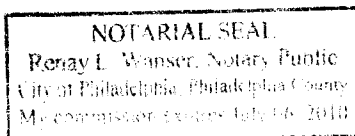
WHEREFORE it is respectfully requested that the motion to admit Michael J. Miller, *pro hac vice*, to represent Defendant Lincoln Life & Annuity Company of New York in the above referenced matter, be granted.

Dated: May 23, 2008

  
Katherine L. Villanueva (KV5283)

Sworn to before me this 23rd  
day of May, 2008.

  
Notary Public





Supreme Court of Pennsylvania

**CERTIFICATE OF GOOD STANDING**

***Michael John Miller, Esq.***

**DATE OF ADMISSION**

***November 27, 1991***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal

Dated: May 14, 2008

A handwritten signature in black ink, reading "Patricia A. Johnson".

Patricia A. Johnson  
Chief Clerk

**CERTIFICATE OF SERVICE**

I, Katherine L. Villanueva, hereby certify that on the date set forth below, I mailed copies of the foregoing documents via Federal Express to the following individuals:

Andrew A. Wittenstein  
Friedman & Wittenstein, P.C.  
600 Lexington Avenue  
New York, NY 10022  
(212) 750-8700  
Fax: (212) 223-8391

Stephen Ross Herbert  
Locke & Herbert  
1114 Avenue of The Americas, 40th Fl.  
New York, NY 10036  
(212) 935-8787  
Fax: (212) 935-5663

Christopher George Karagheuzoff  
Dorsey & Whitney LLP  
250 Park Avenue  
New York, NY 10177  
(212) 735-0793  
Fax: (212) 953 7201

I also hereby certify that on the date set forth below, I submitted courtesy copies of the aforementioned, marked as courtesy copies, by overnight Federal Express to the following:

The Honorable Deborah A. Batts, USDJ  
United States Courthouse  
500 Pearl St., Room 2510  
New York, NY 10007  
(two copies)

The Honorable Michael H. Dolinger, USMJ  
United States Courthouse  
500 Pearl St., Room 1670  
New York, NY 10007  
(one copy)

A handwritten signature in black ink, appearing to read 'Kat Vill', is positioned above a horizontal line.

Katherine L. Villanueva (KV 5283)  
Drinker Biddle & Reath LLP  
140 Broadway, 39<sup>th</sup> Floor  
New York, NY 10005  
(212) 248-3140

Dated: May 23, 2008

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**ORDER GRANTING MOTION TO PRACTICE *PRO HAC VICE***

The motion for admission to practice *pro hac vice* in the above captioned matter is granted. The admitted attorney, Michael J. Miller, is permitted to argue or try this particular case in whole or in part as counsel or advocate.

An attorney admitted to practice *pro hac vice* is required to pay a \$25 attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee.

This Order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission *pro hac vice* for the above listed case will be made on the roll of attorneys.

The attorney admitted *pro hac vice* must serve a copy of this Order on all other counsel in this case.

IT IS SO ORDERED.



Dated: May \_\_, 2008

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Judge Deborah A. Batts